

## **THE PANELISTS**

**Loretta A. Preska** is the Chief Judge for the United States District Court for the Southern District of New York. She was appointed to the Court in 1992 and has served as Chief Judge since June 1, 2009. Chief Judge Preska received a B.A. from the College of St. Rose in Albany, New York in 1970, a J.D. from Fordham University School of Law in 1973 and an LL.M. in Trade Regulation from New York University Law School in 1978. Following graduation from Fordham Law School, Chief Judge Preska was an associate at Cahill Gordon & Reindel, and an associate and, beginning in January 1983, a partner at Hertzog, Calamari & Gleason until her induction as a United States District Judge. Chief Judge Preska was nominated to the U.S. Court of Appeals for the Second Circuit in September 2008. She currently serves as a Trustee of Fordham University.

### **I. OPENING STATEMENTS PANEL**

**Laura Taylor Swain** is a District Judge for the United States District Court for the Southern District of New York. She was appointed to the Court in 2000. Before joining the Court, Judge Swain practiced with Debevoise & Plimpton until 1996, at which time she was appointed as a United States Bankruptcy Judge for the Eastern District of New York. She served in that capacity until she was appointed to the District Court. Judge Swain was graduated from Harvard-Radcliffe College and the Harvard Law School. She served as a law clerk to the late Honorable Constance Baker Motely.

**Daniel Cooper** is the President of LitStrat Inc. While at LitStrat, he has worked on hundreds of jury and bench trials involving complex civil claims. Dan is a graduate of Brown University, Harvard University's Graduate School of Education, and Columbia University's School of Law. After law school, he clerked for Judge Jack Weinstein of United States District Court for the Eastern District of New York. He then spent several years in private practice specializing in complex commercial cases before serving as Vice President for Corporate Administration at ICN Pharmaceuticals. Dan has published several articles about jurors and juries, including most recently "Tackling Hindsight Bias in Failure to Warn Cases" (For the Defense, October 2010, co-authored with Loren Brown, Esq. and Christopher Campbell, Esq.).

**Leslie G. Fagen** is a senior litigation partner at Paul, Weiss, Rifkind, Wharton & Garrison LLP. He has litigated on behalf of both plaintiffs and defendants for more than 35 years, handling his clients' most complex civil litigation matters. Les also serves as a director of the Lawyers Committee for Civil Rights Under Law. He has served as President and Vice Chairman of The Educational Alliance, Inc., a multi-disciplinary social service agency, and as a member of the Board of Trustees of Maimonides Medical Center. Les has been a David Rockefeller Fellow (2009-2010) at the Partnership for New York City, and is an adjunct lecturer in law at Columbia Law School, where he teaches a trial advocacy course, and an adjunct professor of law at Brooklyn Law School, where he teaches an intellectual property litigation course. Les was graduated from Columbia Law School and Yale College.

## II. DIRECT EXAMINATION PANEL

**Shira A. Scheindlin** is a District Judge for the United States District Court for the Southern District of New York. She was appointed to the Court in 2004. Before joining the Court, Judge Scheindlin served as a Magistrate Judge and an Assistant United States Attorney for the Eastern District of New York, and General Counsel for the New York City Department of Investigation. She is the recipient of the Brennan Award from the New York State Bar Association, the Weinfeld Award and the William Nelson Cromwell Award of the New York County Lawyers Association, and the Judicial Recognition Award of the National Association of Criminal Defense Lawyers. Judge Scheindlin received her Bachelor's Degree in Far Eastern Studies from University of Michigan, her Master's Degree in History from Columbia University, and her J.D. from Cornell Law School.

**Deirdre von Dornum** has been an Assistant Federal Defender practicing in the Eastern and Southern Districts of New York and the United States Court of Appeals for the Second Circuit for ten years. Her practice involves trial and appellate litigation of every type of federal case, from firearms to stock fraud to piracy. Before joining the Federal Defenders, Deirdre was an associate at WilmerHale in New York, where, in addition to representing international corporations and individuals in white-collar cases, she received a New York State Bar Association *pro bono* award for her work representing immigrants in asylum cases and working as part of the appellate team from the Capital Defender's Office of New York that convinced the New York Court of Appeals to invalidate the death penalty statute. Deirdre clerked for the Honorable Anita B. Brody of the Eastern District of Pennsylvania, the Honorable Stephen Reinhardt of the Ninth Circuit, and the Honorable Ruth Bader Ginsburg of the United States Supreme Court, and she graduated from Columbia Law School with the highest honors.

**John R. Cuti** is a partner at Cuti Hecker LLP. Before founding that firm, John was a partner at Davis Wright Tremaine and Emery Cuti Brinckerhoff & Abady. He also served as the General Counsel to two public companies, Martha Stewart Living Omnimedia, Inc. and MortgageIT Holdings, Inc. His litigation experience includes high-profile First Amendment, white collar criminal, and securities fraud matters, including class actions. John was graduated from New York University School of Law and the University of Virginia. In 2007, he received the Champion of Children and Families Award, from the Legal Information for Families Today, and, in 2000, he was honored with Common Cause's Ethical New York Award (awarded for significant achievements in ballot access litigation).

## III. CROSS EXAMINATION PANEL

**Jed. S. Rakoff** is a District Judge for the United States District Court for the Southern District of New York. He was appointed to the Court in 1996. Before his appointment to the Court, Judge Rakoff was a litigation partner at Mudge, Rose, Guthrie, Alexander and Ferdon, and later at Fried, Frank, Harris, Shriver and Jacobson. He also served as an Assistant United States Attorney for the Southern District and was for two years that Office's Chief of the Business and Securities Fraud Prosecutions Unit. Judge Rakoff received a B.A. from Swarthmore College, an M. Phil. from Oxford University, and a J.D. from Harvard Law School.

He clerked for the late Honorable Abraham L. Freedman, United States Court of Appeals for the Third Circuit.

**Christopher Flood** is an assistant federal defender with the Federal Defenders of New York and adjunct professor of law at New York University Law School. He recently returned to the Southern District of New York after spending more than three years helping to establish, organize, and lead the Orleans Public Defenders, the institutional public defender office for the City of New Orleans. Chris began his career at the Public Defender Service for the District of Columbia and was a founding member of that office's Forensic Practice Group specializing in cases involving forensic science issues regarding DNA, eyewitness identification, arson, sexual assault and forensic pathology evidence. Chris received his B.A and M.S. from the University of Massachusetts, and his J.D. from New York University Law School in 2000.

**Earl Ward** is a partner at Emery Celli Brinckerhoff & Abady LLP with over twenty-six years of trial experience. He has tried nearly 100 cases to verdict, ranging from death penalty cases to grandmothers who were arrested while demonstrating. Before starting his own firm, Earl was the Supervising Attorney for the Neighborhood Defender Service of Harlem. From 1989 to 1992, Earl was a staff attorney at the New York Civil Liberties Union. Earl was graduated from the New York University School of Law, and received his bachelor's degree from Rutgers University. He is formerly a Commissioner on the Civilian Complaint Review Board and currently serves on the Bronx Defenders Board of Directors.

#### IV. PRO BONO PANEL

**Victor Marrero** is a District Judge for the United States District Court for the Southern District of New York. He was appointed to the Court in 1999. After graduating from Yale Law School, Judge Marrero served in various public service offices in federal, state and local governments, including as Under Secretary for the U.S. Department of Housing and Urban Development, Commissioner of the New York State Division of Housing and Community Renewal, First Assistant Counsel to the Governor, and Chairman of the New York City Planning Commission. He practiced law as a member of Tufo & Zuccotti and Brown & Wood. He then returned to federal government service as Ambassador, Representative of the United States on the Economic and Social Council of the United Nations, and as Ambassador, Permanent Representative of the United States to the Organization of American States. Judge Marrero has also served on various special public interest committees, including as Chairman of the New York State Chief Judge's Committee to Improve the Availability of Legal Services and Co-Chair of the Chief Judge's *Pro Bono* Review Committee. He has taught law as a Visiting Lecturer at the Yale Law School and Columbia Law School. Judge Marrero received his Bachelor's Degree from New York University and his J.D. from Yale Law School.

**Sarah Netburn** is the Chief Counsel to the District Court for *Pro Se* Litigation for the United States District Court for the Southern District of New York. Before joining the Court, Sarah was a partner at Emery Celli Brinckerhoff & Abady LLP in New York. She was graduated from the University of California at Los Angeles School of Law. After law school, Ms. Netburn clerked for the Hon. Harry Pregerson on the United States Court of Appeals for the Ninth Circuit. She currently serves on the Board of Directors of The Fortune Society and was

the recipient of the Legal Aid Society's *Pro Bono Publico* Award in 2004 and 2005. She received her Bachelor of Arts degree from Brown University.

## **V. DOCUMENTS AND OTHER EVIDENTIARY ISSUES PANEL**

**P. Kevin Castel** is a District Judge for the United States District Court for the Southern District of New York. He was appointed to the Court in 2003. Judge Castel served as a law clerk for the Honorable Kevin Thomas Duffy of this Court. After his clerkship, he joined the law firm of Cahill Gordon & Reindel. He became a partner in 1983 and remained with the firm until he joined the Court. Judge Castel received his B.S. and J.D. from St. John's University and was Articles Editor of the Law Review and a St. Thomas Moore Scholar.

**Mark D. Kotwick** is a partner in Seward & Kissel LLP's Litigation Group. Mark has practiced law since 1989 and became a partner at Seward & Kissel in 2000, where he specializes in complex commercial litigation, with an emphasis on securities and employment law. He has been active in numerous *pro bono* activities in his career, including representing prisoners in civil rights cases before the U.S. District Court for the Southern District of New York and the U.S. Court of Appeals for the Second Circuit. In that regard, Mark has been a frequent panelist in training programs for *pro bono* attorneys sponsored by this Court over the last fifteen years. Mark received his J.D. from the University of North Carolina School of Law, and his B.S. from Grand Valley State University.

**Debra L. Raskin** graduated from Radcliffe College magna cum laude in 1973 and received her law degree from Yale in 1977. She worked at the Legal Assistance Foundation of Chicago from 1977 to 1981, serving in 1981 as Supervisor of Employment Litigation for that organization. She served as law clerk to Hon. Lee P. Gagliardi of the United States District Court, Southern District of New York from 1982 to 1984. From 1984 to 1986, she served as an Assistant Attorney General of the State of New York in the Civil Rights Bureau. She joined the Vladeck firm in 1986, and became a partner of the firm in October 1988. Ms. Raskin has been Chair of the Labor and Employment Committee of the City Bar and is currently on the City Bar Executive Committee. Ms. Raskin is a Fellow of the American College of Trial Lawyers, has taught at Columbia and Fordham Law Schools and has lectured and written on employment law matters for the New York State Bar Association and the American Law Institute/American Bar Association, among other groups.

## **VI. CLOSING STATEMENTS PANEL**

**John G. Koeltl** is a District Judge for the United States District Court for the Southern District of New York. He was appointed to the Court in 1994. Judge Koeltl served as a law clerk to the Honorable Edward Weinfeld of this Court, and the Honorable Potter Stewart of the United States Supreme Court. He served as an Assistant Special Prosecutor, Watergate Special Prosecution Force, Department of Justice from 1973 to 1974. In 1975, he joined the law firm of Debevoise & Plimpton where he remained until he joined the Court. Judge Koeltl was graduated from Georgetown University and received his law degree from Harvard Law School where he was an editor of the Harvard Law Review.

**Rita M. Glavin** is a partner with Vinson & Elkins LLP in its complex Commercial Litigation group and leads the white collar practice in the New York Office. Immediately before joining V&E, Rita worked for 11 years in the U.S. Department of Justice (DOJ), where she recently served as head of the U.S. Department of Justice's Criminal Division and supervised more than 400 lawyers in that Division during the transition period of the new Administration. Rita began her service as a prosecutor with DOJ in 1998, first as a Trial Attorney in the Public Integrity Section of the Criminal Division and then, from 2003 until 2010, Rita was an Assistant United States Attorney in the Southern District of New York. She has served as an adjunct law at Fordham School of Law, from where she graduated *cum laude*.

**Samuel W. Seymour** is a partner with Sullivan & Cromwell LLP and is currently the President of the New York City Bar. Sam practices in the firm's Criminal Defense and Investigations Group and concentrates in white-collar criminal defense, regulatory enforcement matters and internal investigations. Sam previously served as an Assistant U.S. Attorney and Deputy Chief Appellate Attorney in the Southern District of New York from 1988 through 1991. Sam was graduated from Columbia School of Law and Dartmouth College.